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DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
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**BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF THE LICENSE OF
BRIAN JORGENSEN

**FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER**

TO OPERATE AS AN APPRENTICE
ELECTRICIAN IN THE STATE UTAH

CASE No DOPL-OSC-²⁰⁰⁹~~2011~~-222

FINDINGS OF FACT

1 The Division of Occupational and Professional Licensing (the "Division") filed a Notice of Agency Action in this matter on the 19th day of January 2012. The Construction Services Commission subsequently revoked Respondent's license on March 28, 2012. Respondent filed a response to set aside revocation of licensure which was granted on May 30, 2012. Due to the revocation being set aside, the Division's Notice of Agency Action remains pending.

2 This action is based upon Division records as reflected in the Notice of Agency Action filed herein which show that BRIAN JORGENSEN ("Respondent"), failed to comply with an order issued July 30, 2009, as a result Respondent has engaged in unprofessional conduct, in violation of Utah Code Annotated Subsection 58-1-501(2)(a).

3 Respondent has failed to demonstrate that he has complied with the obligations specified in the July 30, 2009 order. Respondent has failed to submit to drug testing as required by the Division's testing agency including missing testing scheduled after the revocation was set aside on May 30, 2012. By failing to comply with the items in the July 30, 2009 order, respondent has engaged in unprofessional conduct as outlined above. This conduct constitutes a basis to revoke Respondent's license pursuant to Utah Code Annotated Subsections 58-1-401(1) and (2).

CONCLUSIONS OF LAW

4 The Notice of Agency Action and documents attached thereto provide a basis to conclude that Respondent has failed to comply with an order, in violation under Utah Code Annotated Subsection 58-1-501(2)(a). Based on these violations, Respondent has engaged in unprofessional conduct as defined by Utah Code Annotated Subsection 58-1-501(2)(a), and Respondent no longer meets the qualification for licensure as provided by Utah Code Annotated Section 58-55-306.

6 The Division is authorized to revoke Respondent's license to practice as an apprentice electrician as provided by Utah Code Annotated Subsection 58-1-401(1) because the Respondent no longer meets the qualifications for licensure as required by Utah Code Annotated Subsection 58-55-102(19).

7 The Division is authorized to revoke Respondent's license to practice as an electrician as provided by Utah Code Annotated Subsection 58-1-401(2)(a), for engaging in unprofessional conduct as provided by Utah Code Annotated Subsection 58-1-501(2)(a), and for failure to comply with the Division's July 30, 2009 Order.

ORDER

WHEREFORE, IT IS ORDERED Respondent's license to practice as an apprentice electrician in this state shall be revoked, effective on the date this order is signed.

On behalf of the Construction Services Commission and the Division of Occupational and professional licensing, I hereby certify the foregoing Findings of Fact, Conclusions of Law, and Order were submitted to the Construction Services Commission and the Division on the 28th day of June 2012 for their review and action.

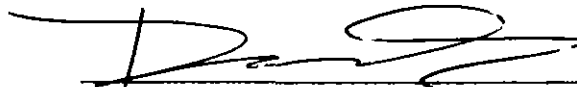



Dan S. Jones, Bureau Manager

ORDER

THE ABOVE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER in
the matter of **BRIAN JORGENSEN** is hereby adopted by the Construction Services
Commission of the State of Utah

DATED this 28 day of June, 2012



CONSTRUCTION SERVICES COMMISSION
Representative

I concur with the above Order, which the Construction Services Commission has
approved

DATED this 28 day of June, 2012

DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING


for MARK B. STEINAGEL
Director

Agency review of this order may be obtained by filing a request for agency review within
thirty (30) days after the date of this order. If you choose to file a request for agency
review, you must adhere to the attached procedures